

Appl. No. 10/699,617
Amdt. dated March 15, 2005
Reply to Office action of December 15, 2004

In the drawings:

Please amend FIG. 5 as indicated herein to add the label
"Prior Art". A markup and replacement sheet are provided.

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Markup Sheet

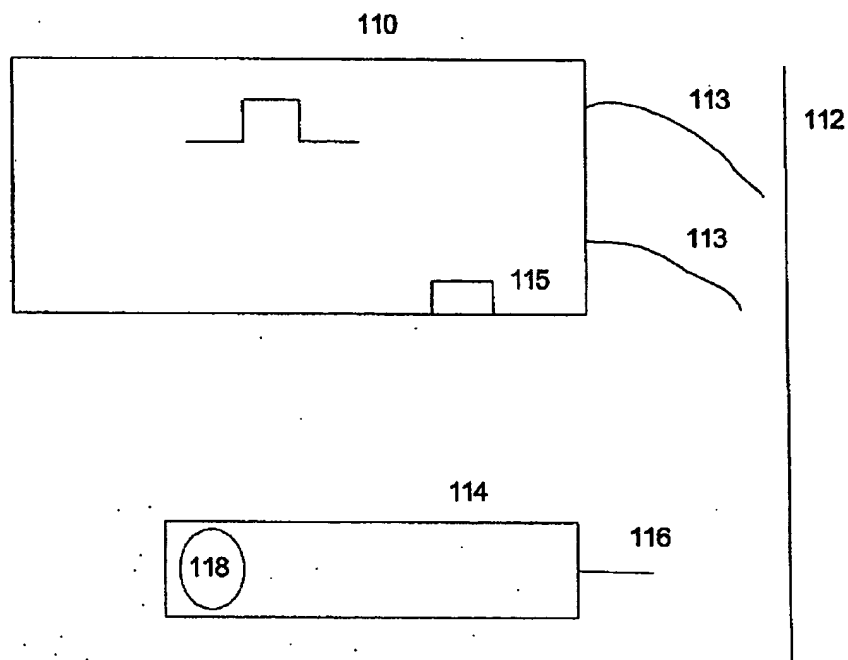


FIG. 5
Prior Art

add words "Prior Art"

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REMARKS

Reconsideration is respectfully requested. Claims 1-10 and 12-21 are now present in the application. Claims 9 and 19 are amended herein. Claims 11 and 12 are canceled. New claims 20 and 21 are added.

Claims 1-10 and 13-19 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Medelius et al (U.S. 5,894,223). Applicant respectfully traverses.

Claim 1 recites, among other things, a toner adapted to generate and supply a tone packet to a cable under test. Medelius does not teach or suggest that its toner would or could supply a tone packet. Medelius is applying an analog signal and does not relate to anything that would send a tone packet. The analog low frequency signal applied by Medelius does not meet the definition of a tone packet.

Claim 13 includes the concept of applying a tone packet. For reasons noted above in connection with claim 1, Medelius does not relate to such a concept and therefore does not teach or suggest what applicant claims.

Regarding claim 2 (and 14), it is said in the office action that Medelius discloses a synchronization portion 112 and a data portion 110. Applicant respectfully traverses. Item 110 of Medelius is an "input oscillator" which generates a signal having a low center frequency (10Hz in the embodiment discussed at column 3, line 22, preferable less than 50 Hz (column 2, line

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36). An input oscillator of an analog device does not equate to a tone packet data portion. Further, item 112 of Medelius is an amplifier/driver which is for the purpose of amplifying the analog 10 Hz signal from the oscillator 110 to a level sufficient to provide an adequate signal. An amplifier/driver cannot be equated to a synchronization portion of a tone packet. It is respectfully submitted that claims 2 and 14 are allowable.

Regarding claims 3 and 15, since the concept of a tone packet and a data portion is absent and unrelated to what Medelius is concerned with, Medelius cannot be said to have a data portion comprising plural portions providing different testing modes. Claims 3 and 15 are therefore submitted to be allowable.

Regarding claims 4 and 16, the isolate/locate mode of applicant's claims is neither taught nor suggested by Medelius. There is no teaching in FIG. 1 of such a concept. Medelius is silent as to such things. These 2 claims are therefore also allowable.

Claims 5 and 17 relate to a testing mode comprising a wire continuity test mode for location of one or more wires separately from other wires. Medelius does not disclose anything that teaches these claims. There is no teaching of any modes in Fig. 1 of Medelius. Similarly, claims 6 and 18, which relate to the test mode comprising a wire map mode, are neither

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taught nor suggested by Medelius. The word "map" does not appear in Medelius, nor does the concept of a wire map mode.

Regarding claims 7 and 19, related to a 455Khz carrier signal as at least part of a tone packet, applicant again traverses the rejections. Since the concept of a tone packet is foreign to Medelius, it cannot anticipate or teach these claims. Further, the 455Khz carrier is not taught in column 2, lines 58-59. Those lines of Medelius recite that "Existing commercial cable testing equipment injects a signal in the several hundreds of kilohertz range." Even if this related to applicant's tone packets with carrier, "several hundreds" does not anticipate a 455Khz carrier. Further, this mention of other equipment is not teaching the use of a carrier as part of a tone packet.

With respect to claim 8, since claim 8 depends from claim 1, it should also be allowable.

Claim 9 recites "a song selector for selectively applying one or more of at least two distinguishable tone packets." This claim cannot be anticipated by Medelius, because Medelius has no teaching of tone packets, so it would be impossible for Medelius to have a song selector to select one or more tone packets.

With regard to claim 10, again, as there is no concept of a tone packet in Medelius, there cannot be any detector to detect a tone packet and operatively respond thereto. The detector 120 is merely an analog signal detector (e.g., a voltage detector), which does not appreciate the concept of a tone packet.

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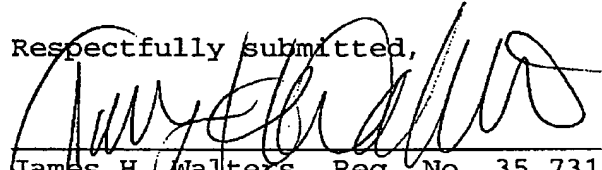
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The abstract was objected to as being too short. The abstract is amended herein to increase its length.

The Examiner requested that FIG. 5 be labeled as "prior art". Applicant's representative thanks the Examiner for noting this oversight on our part. Drawing amendments to add the prior art label to FIG. 5 are submitted herewith.

In light of the above noted amendments and remarks, this application is believed in condition for allowance and notice thereof is respectfully solicited. The Examiner is asked to contact applicant's attorney at 503-224-0115 if there are any questions.

Respectfully submitted,


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